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2/175

Docket No. 3553-4044US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Jay S. Walker et al. Group Art Unit: 2175
Serial No : 09/518,495 Examiner: TBA
Filed : March 3, 2000
For : METHOD AND APPARATUS FOR THE SALE OF AIRLINE-SPECIFIED
FLIGHT TICKETS

CERTIFICATE OF MAILING

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Commissioner For Patents
Washington, D.C. 20231

SEP 09 2002

Technology Center 2100

Sir:

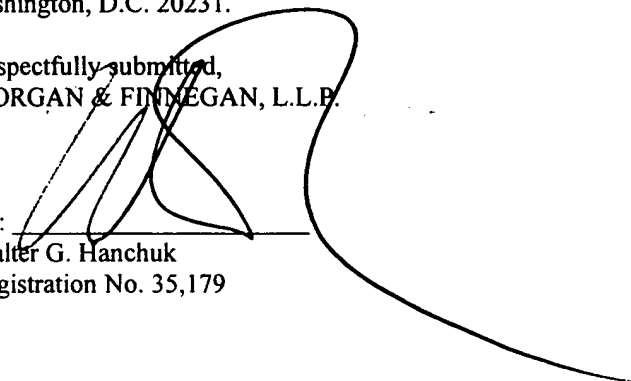
I hereby certify that the attached

1. Information Disclosure Statement;
2. Form PTO-L 1449 (enclosing cited references);
3. Return Post Card

along with any paper(s) referred to as being attached or enclosed and this Certificate of Mailing are being deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to the: Commissioner of Patents, Washington, D.C. 20231.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Date: August 29, 2002

By: 
Walter G. Hanchuk
Registration No. 35,179

Mailing Address:
MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, NY 10154



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#12
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Docket No. 3553-4044US2

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Jay S. Walker, et al.

Group Art Unit: 2175

Serial No : 09/518,495

Examiner: TBA

Filed : March 3, 2000

For : METHOD AND APPARATUS FOR THE SALE OF
AIRLINE-SPECIFIED FLIGHT TICKETS

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

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Sir:

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on Form PTO-1449, a copy of which is enclosed, are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

1. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed:
2. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application.
3. ☐ Any copy of the items listed on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in application Serial No. _____, filed ____.
4. ☒ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
☐ 37 C.F.R. §1.97(b)(1), within three months of the filing date of a national application other than a CPA; or

- ☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application; or
- ☒ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits; or
- ☐ 37 C.F.R. §1.97(b)(4) before the mailing date of a first office action after the filing of an RCE under §1.114.
5. ☐ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a notice of allowance (where there has been no prior final action):
- ☐ A check in the amount of \$180.00 is enclosed in payment of the fee.
- ☐ Charge the fee to Deposit Account No. 13-4500, Order No. 3553-4044US2. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
7. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:
- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
- b. the fee due under 37 C.F.R. §1.17(p) which is paid as set forth in paragraph 11 below.
8. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
- a. ☐ 37 C.F.R. §1.313(b)(3) or §1.313(c)(1), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h);
- b. ☐ 37 C.F.R. §1.313(c)(2) or §1.313(c)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Request for Continued Examination (RCE) or a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h).

- c. ☐ The fees due under 37 C.F.R. §§1.17(h) and 1.17(p) are paid as set forth in paragraph 11 below.
9. ☐ I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- ☐ I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
10. ☐ This document is accompanied by ☐ a Search Report ☐ Communication which was cited in a corresponding ☐ PCT or ☐ Foreign counterpart application
11. ☐ A check in the amount of \$ _____ is enclosed in payment of the fees due under 37 C.F.R. §§1.17(h) and 1.17(p).
- ☐ Charge the fees due under 37 C.F.R. §§1.17(h) and 1.17(p) to Deposit Account No. 13-4500, Order No. _____. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 13-4500, Order No. 3553-4044US2. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

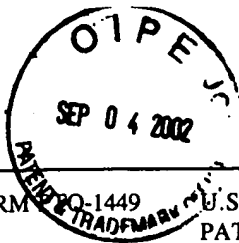
Dated: August 29, 2002

By: _____

Walter G. Hanchuk
Registration No. 35,179

Correspondence Address:

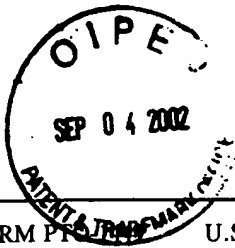
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Sheet 1 of 4

FORM PTO-1449		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. 3553-4044US2		SERIAL NO. 09/518,495	
INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)				APPLICANT Jay S. Walker, et al.			
				FILING DATE March 3, 2000		GROUP ART UNIT 2175	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Papers, Etc.)							
✓		✓		Richard Carroll, <i>Hitch a Flight to Europe</i> , p. 1, < http://travelassist.com/mag/a69.html >. Undated.			
X		✓		<i>Airhitch Your Way To Low Cost Travel</i> , pp. 1, 2. < http://www.vaportrails.com/Budget/BudFeatures/Airhitch/Airhitch.html >. Undated.			
X		✓		Sue Goldstein, <i>Airhitch</i> , p. 1. Undated.			
X		✓		Miles Poindexter, <i>Airhitch: Myth or Fact</i> , pp. 1, 2. Undated.			
EXAMINER				DATE CONSIDERED			
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

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FORM PT-100 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)	ATTY. DOCKET NO. 3553-4044US2	SERIAL NO. 09/518,495
	APPLICANT Jay S. Walker, et al..	
	FILING DATE March 3, 2000	GROUP ART UNIT 2166

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

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FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Papers, Etc.)

✓	✓	Frequently Asked Questions about Airhitch, pp. 1-5, 1995, < http://www.isicom.fr/airhitch/ahfaq > .
✓	✓	Across the Atlantic Anytime for \$169!!!, pp. 1, 2, < http://www.isicom.fr/airhitch/index.html > . Undated. ✓
✓	✓	Airhitch, General Information, New!!! Target Flights Update, pp. 1-6, < http://www.isicom.fr/airhitch/info.htm > . Undated. ✓
✓	✓	Target Flight(R) Quote Request Form, pp. 1, 2, < http://www.isicom.fr/airhitch/tf_qrf.txt > . Undated.
✓	✓	Working For/With Airhitch, pp. 1-5, < http://www.isicom.fr/airhitch/jobs.htm > . Undated.

EXAMINER	DATE CONSIDERED
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FORM P U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)	ATTY. DOCKET NO. 3553-4044US2	SERIAL NO. 09/518,495
	APPLICANT Jay S. Walker, et al.	
	FILING DATE March 3, 2000	GROUP ART UNIT 2166

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Papers, Etc.)

✓	✓	✓	Marketel says it plans to launch air fare "auction" in June; Marketel Int'l Inc., Travel Weekly, Vol. 50, No. 34, p. 1, April 29, 1991.
✓	✓	✓	Ticketing Revolution Could Triple Airline Profits, Analyst Says, Aviation Daily, Vol. 325, No. 11, p. 87, July 17, 1996.
*	✓	✓	Cathay Pacific to Auction Off Airline Tickets on the Internet, The San Francisco Chronicle, Business, p. C4, April 30, 1996.
✓	✓	✓	Going Once, Going Twice, Going Online, The San Francisco Chronicle, Business, p. B1, November 13, 1995.
✓	✓	✓	Auctioning Unsold Airline Tickets, < http://www.newciv.org/GIB/BOV/BV-409.HTML >. Undated.
*	✓	✓	Ticket-Bidding Firm Closes Its Doors; Marketel Int'l, Travel Weekly, Vol. 51, No. 21, p. 1, March 12, 1992.
✓	✓	✓	Travelers Bidding On Airline Tickets - SF Firm Offers Chance for Cut-Rate Fares, The San Francisco Chronicle, News, p. A4, August 19, 1991.
✓	✓	✓	An Experiment In Economic Theory; Labs Testing Real Markets, The Record, Business, p. B01, November 26, 1989.

EXAMINER	DATE CONSIDERED
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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)	ATTY. DOCKET NO. 3553-4044US2	SERIAL NO. 09/518,495
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						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Papers, Etc.)

✓	✓	AAL's Riga Doubts Marketel's Appeal to Retailers; Chris Riga of American Airlines, Travel Weekly, Vol. 48, No. 91, p. 4, November 13, 1989.
✓	✓	Computers May Turn the World Into One Big Commodities Pit, Business Week, Economic ViewPoint, No. 3123, p. 17, September 11, 1989.
✓	✓	Northeastern International Airways Offers a \$79 One-way Low Fare Between Florida and New York; PR Newswire, FLPR3; Sept. 11, 1984; DIALOG: File 148, Acc# 02199728.
✓	✓	Green; Student Standby Fares Now a Flight of Fancy; Chicago Tribune, Nov. 20. 1985; DIALOG: File 632, Acc# 01076578.
✓	✓	Shea; Despite Hitches, Airhitch Offers Rock-bottom Flights; San Jose Mercury News; March 22, 1992; DIALOG: File 634, Acc# 06582190.
*		Miskin; On the Go; Newsday; Jul. 10, 1994; DIALOG: File 638, Acc# 07691008.

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